



ISSN Print: 2394-7500  
ISSN Online: 2394-5869  
Impact Factor: 5.2  
IJAR 2020; 6(6): 123-125  
[www.allresearchjournal.com](http://www.allresearchjournal.com)  
Received: 05-03-2020  
Accepted: 07-04-2020

**Caroline Satur**  
Principal, M.L.B Govt.  
Multipurpose Girls Hr. Sec.  
School-Bilaspur District  
Chhattisgarh, India

**Dr. Sunil Gouraha**  
Sports Officer, Rajiv Gandhi  
Govt. P.G. College,  
Ambikapur-Sarguja District  
Chhattisgarh, India

## **Education for all-right to education is a fundamental right**

**Caroline Satur and Dr. Sunil Gouraha**

### **Abstract**

Right to Education is a basic Human Right. It is sine qua non for the development of a human and only with the development of its subjects, a country develops. Constitution of India imposes the obligation on the government to provide education to the citizens. Right to education is included in the right to life enshrined in Article 21 of the Constitution of India which provides right to live with dignity and it is the education which brings-forth the dignity of a human. An individual cannot be assured of human dignity unless his personality is developed and the only way to do that is to educate him. The Constitutional Amendment Act, 1976 included the subject 'Education' in the Concurrent List of the VII Schedule of the Indian Constitution which enables the Union Government to make law on this subject. Right of Children to Free and Compulsory Education Act, 2009 passed by the Indian Parliament on August 4, 2009, came into force from 1st April 2010. The Act promises to ensure education for all children between 6 and 14. The question which arises is, has the government succeeded in its motive by passing the Right to Education Act or has failed in providing right to education. There are a number of challenges to access free and compulsory education in India. The main purpose of this article is to point out the opportunities in providing education to all.

**Keywords:** Education, right to education, fundamental right, human right

### **Introduction**

**"What is really needed to make democracy function is not knowledge of facts, but the right education".**

**- Mahatma Gandhi**

Education is called the light of life, birth right and humans' right because education is the thing which makes a person perfect and strong to be alive in the society.

Effective education is a learning experience.

Education brings about an inherent and permanent change in a person's thinking and capacity to do things.

### **Importance of Education**

**"Education is the most powerful weapon which you can use to change the world".**

**- Nelson Mandela**

Education is a weapon to improve one's life. It is probably the most important tool to change one's life. Education for a child begins at home. It is a lifelong process that ends with death. Education certainly determines the quality of an individual's life. Education improves one's knowledge, skills and develops the personality and attitude.

The only person who is educated is the one who has learned how to learn ...and change.

Education provides us with knowledge about the world. It paves the way for a good career. It helps build character. It leads to enlightenment. It lays the foundation of a stronger nation. Education makes a man complete. Kautilya, an Indian philosopher, royal adviser, and professor of economics and political science very rightly underlined the importance of education, some 2000 years ago. He has highlighted the fact that education enriches people's understanding of themselves. He has said that education is an investment in human capital, and it can have a great impact on a nation's growth and development. Some say education is the process of gaining information about the surrounding world while knowledge is something very different. They are right. But then again, information cannot be converted into knowledge without education. Education makes us capable of interpreting things, among

**Corresponding Author:**  
**Caroline Satur**  
Principal, M.L.B Govt.  
Multipurpose Girls Hr. Sec.  
School-Bilaspur District  
Chhattisgarh, India

other things. It is not just about lessons in textbooks. It is about the lessons of life. One thing I wish I can do is, to provide education for all: no child to be left behind and change the world for good!

### **Education as a Human Right**

Education is not a privilege. It is a human right.

Education as a human right means:

- The right to education is legally guaranteed for all without any discrimination
- States have the obligation to protect, respect, and fulfil the right to education
- There are ways to hold states accountable for violations or deprivations of the right to education

The right to education is legally guaranteed for all without any discrimination. States have the obligation to protect, respect, and fulfil the right to education. There are ways to hold states accountable for violations or deprivations of the right to education.

### **Right to Education (RTE)**

The Right to Education comes under a new Article 21A under Fundamental Rights in 2002 by the 86th Constitutional Amendment. It was a long-standing need so that all children in the age group of 6-14 years can claim compulsory and free education as a Fundamental Right.

It is a very important step for making the country free of illiteracy. But this addition remained meaningless because it could not be enforced until 2009 when the Parliament passed the Right to Education Act, 2009.

This Act aims at ensuring that each child who is between 6-14 years age group and is out of the school in India, must go to school. It is his or her right to receive a quality education. This Act makes education a fundamental right of every child between the age group of 6-14. The act thus specifies minimum norms in elementary schools.

It demands that all schools reserve 25% of seats for deprived children. The government later reimburses the amount. It restricts all schools which are not recognised, from practice and it makes provisions for no donation or capitation fees and no interview of the child or parents for the admission. This Act also restricts that no child will be held back, expelled, or required to pass a board examination until the completion of elementary education.

### **The Right to Education is a Fundamental Human Right**

“Education is the passport to the future, for tomorrow belongs to those who prepare for it today”.

Every individual, irrespective of race, gender, nationality, ethnic or social origin, religion or political preference, age or disability, is entitled to a free elementary education.

This right has been universally recognised since the Universal Declaration of Human Rights in 1948 and has since been enshrined in various international conventions, national constitutions and development plans.

Access and quality:

The Universal Declaration of Human Rights does not only state the right to access education, but also of the quality of education:

-Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom. It shall promote

understanding, tolerance and friendship among racial or religious groups-(Article 26)

Therefore it is important to work both for increased access and quality.

### **• More on the Topic Quality in Education. Essential for Other Rights**

Education is a fundamental human right and essential for the exercise of all other human rights. It promotes individual freedom and empowerment and yields important development benefits.

Education is a powerful tool by which economically and socially marginalised adults and children can lift themselves out of poverty and participate fully as citizens.

Article 26 states: "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.

The right to education encompasses both entitlements and freedoms, including the:

- Right to free and compulsory primary education
- Right to available and accessible secondary education (including technical and vocational education and training), made progressively free
- Right to equal access to higher education on the basis of capacity made progressively free
- Right to fundamental education for those who have not received or completed primary education
- Right to quality education both in public and private schools
- Freedom of parents to choose schools for their children which are in conformity with their religious and moral convictions
- Freedom of individuals and bodies to establish and direct education institutions in conformity with minimum standards established by the state
- Academic freedom of teachers and students

### **Education-A Fundamental Right: RTE-A Fundamental Human Right**

Both individuals and society benefit from the right to education. It is fundamental for human, social, and economic development and a key element to achieving lasting peace and sustainable development. It is a powerful tool in developing the full potential of everyone and ensuring human dignity, and in promoting individual and collective wellbeing.

- It is an empowerment right
- It lifts marginalised groups out of poverty
- It is an indispensable means of realising other rights
- It contributes to the full development of the human personality

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.

Education is a fundamental human right and essential for the exercise of all other human rights. It promotes individual freedom and empowerment and yields important development benefits.

### **Suggestions to Help Individuals Realise the Right to Education**

- To raise awareness on the right to education. If individuals know their rights they are empowered to claim them.
- To monitor the implementation of the right to education and report regularly on deprivations and violations.
- To advocate and campaign for the full implementation of the right to education, holding the state accountable.
- To seek remedies when there are violations of the right to education.

### **Conclusion**

The much anticipated Right to Education (RTE) Act which has been passed by the parliament of India should assume a significant part in accomplishing widespread rudimentary education in India. The triumph and annihilation of RTE would to a great extent rely upon reliable political care. Budgetary allotment of assets ought to be satisfactory in this regard. The adolescent in India should approach and spread the utility of education to ignorant guardians who can't value the noteworthiness of education in restricting the social shades of malice. Education which is free of cost up to a specific age must be available to each and every one. Right to education for all and free education for particular age gathering of individuals is a splendid strategy by the legislature and we value that, as key to a created country is that its residents are sufficiently proficient to acquire their bread and to contribute in the economy. Each coin needs two faces comparatively. RTE faces both feedback and gratefulness at the same time. The right to education is a fundamental right and purposes education for all. India alongside different nations of the world should likewise put real and genuine endeavours to make this objective a genuine accomplishment.

### **References**

1. Agrawal, Tushar. "Right to Education Act and Educationally Backward States in India". SSRN Electronic Journal, 2012, Doi:10.2139/ssrn.1985122.
2. Das SK. "Right to Education Act, 2009". India's Rights Revolution, 2013, 248-98.
3. Ghosh, Jayanta. "Right to Education Act 2009: Issues & Challenges". SSRN Electronic Journal, 2013, Doi:10.2139/ssrn.2231197.
4. Mansergh, Nicholas. "Fundamental Rights in India". International Affairs. 1956; 32(2):253-253.
5. Jaisinghani, Sagarika. The Right Act? : An Analysis of the Right to Education Act, 2009 and Its Effect on the Lives of the Street Children in India, 2011.